IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.5890 of 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

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Mr.P.N. Joshi, for the Petitioner
Mr.R.S. Apte for the respondent Nos. 1 and 2.
Ms. J.S.Pawar, AGP for Respondent NO.3.

CORAM : F.I.REBELLO & MRS.R.S.DALVI,JJ.
DATED : NOVEMBER 28,2005
P.C.

. The petitioner approached this Court pursuant to the communication dated 29th June, 2005 whereby the petitioner's application for development by letter dated 10th June, 2005 has been rejected and the petitioner has been called upon to hand over possession.

2. In terms of Regulation 68(v) and Appendix P thereof in so far as the land is concerned, the owner can also develop. It is the stand by the Corporation that they want to develop the land. If that be so, the Corporation will have to take steps to acquire the land. Learned Counsel states that the development plan was sanctioned

only in the year 1999. According to the Counsel for the petitioner the plan was sanctioned in the year 1991. Whatever be the position, it is for the petitioner to take steps which in law he is entitled to. In so far as the possession is concerned, as he continues to be owner there is no question of hand over possession.

. With the above observation the petition stands disposed of.

(F.I. REBELLO, J.)

(MRS.R.S. DALVI, J.)